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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 JAMES EASHOO, individually and on  
12 behalf of all others similarly situated,

13 Plaintiff,

14 vs.  
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16 IOVATE HEALTH SCIENCES U.S.A.,  
17 INC.,

18 Defendant.  
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CASE NO. 2:15-cv-01726-BRO-PJW

**CLASS ACTION**

**[PROPOSED] ORDER GRANTING  
THE MOTION FOR  
APPOINTMENT OF PEARSON,  
SIMON & WARSHAW, LLP AS  
INTERIM LEAD COUNSEL**

1       The Court, having received and considered the Motion for Appointment of  
2 Interim Lead Counsel filed by Pearson, Simon & Warshaw, LLP (“PSW”), the  
3 declarations filed in support thereof, the pleadings and papers on file herein, and the  
4 arguments of counsel and the parties, hereby GRANTS the Motion and appoints  
5 PSW as Interim Lead Counsel. In making its appointment, the Court has considered  
6 the factors outlined in Federal Rule of Civil Procedure 23(g) and finds that PSW  
7 satisfies the criteria necessary to serve as Interim Lead Class Counsel in this matter.  
8 Specifically, the Court finds that that attorneys of PSW are qualified, including by  
9 way of their experience in handling complex litigation and consumer class actions;  
10 are highly knowledgeable about the applicable law; have done significant work in  
11 researching and investigating the claims in this action; are willing and able to  
12 dedicate the time and resources necessary to prosecute this action.

13       PSW shall be responsible for the overall conduct and management of the  
14 litigation on behalf of the proposed plaintiff classes. This will include, but is not  
15 limited to, conducting all proceedings on behalf of the proposed class; signing any  
16 pleadings, motions, briefs, discovery requests or responses, subpoenas or notices on  
17 behalf of the proposed class; and making and supervising all work assignments in  
18 the litigation; conduct any trials on behalf of class members; to meet with defense  
19 counsel with respect to settlement on behalf of Plaintiff and the Class; and to  
20 allocate any award of attorneys’ fees and costs among Plaintiffs’ counsel. No  
21 attorneys or firms other than PSW shall be permitted to file any motions, pleadings  
22 or other documents on behalf of the plaintiffs or the class in this action without the  
23 express consent of PSW or the Court.

24       Finally, any agreements reached between Defendant and Interim Lead Class  
25 Counsel shall be binding on all other respective plaintiffs’ and their counsel in this  
26 matter.

1           **IT IS SO ORDERED.**

2 DATED:

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Hon. Beverly Reid O'Connell  
United States District Court Judge

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